

January 20, 2006

Clerk's Office
United States District Court for the
District of Massachusetts, Western Section
Federal Building and Court House
1550 Main Street
Springfield, MA 01103-1422

RE: *MARK REAVES v. MASSACHUSETTS ARMY*
NATIONAL GUARD, ET AL.
United States District Court for the District of Massachusetts
Western Section, Civil Action No. 04-30125-MAP

Gentlewomen/Gentlemen:

Remaining defendants Massachusetts Army National Guard ("MAANG") and Raymond Vezina ("Vezina") state that their undersigned counsel of record has not completed the drafting of a response to plaintiff Mark Reaves's motion to amend (Docket No. 30-1) and/or MAANG's and Vezina's motion to dismiss or motion for judgment on the pleadings. According to Mr. Reaves, he is expected to deploy in the first week of February 2006 (Docket No. 32). Based on Mr. Reaves's representation, MAANG and Vezina are not now seeking an additional enlargement of the time period under the *Scheduling Order* (No. 29) within which to file a response to Mr. Reaves's motion to amend and/or their own motion to dismiss or motion for judgment on the pleadings. Rather, MAANG and Vezina will file an answer to Mr. Reaves's amended complaint within 10 days of its docketing, as permitted by FED. R. CIV. P. 15(a), unless this Court orders otherwise.

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Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ James S. Whitcomb

James S. Whitcomb
Assistant Attorney General
Western Massachusetts Division

JSW/

CERTIFICATE OF SERVICE

I, James S. Whitcomb, Assistant Attorney General, hereby certify that this document, filed through the Electronic Case Files system, will, on this 20th day of January, 2006, be sent electronically to the registered participant(s) as identified on the Notice of Electronic Filing and will be mailed in paper copy form, by first class mail, postage prepaid, to those indicated non registered participant(s)

/s/ James S. Whitcomb

James S. Whitcomb